

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:
DANNY LANE KEYS
JANICE DIANE KEYS
80 TIMBERLINE RD
CROSSVILLE, TN 38571
SSN XXX-XX-8108 SSN XXX-XX-0264

CASE 12-07578-RM2-13
JUDGE RANDAL S MASHBURN
12/28/2012

NOTICE OF CONFIRMATION AND PLAN TERMS

ON 12/26/2012 the debtor(s) Chapter 13 plan, as amended, was confirmed by order of JUDGE RANDAL S MASHBURN. This order provides an extension of the finality date to provide all parties in interest the opportunity to review the plan or its terms and seek relief from its term pursuant to Rule 9023, Federal Rules Bankruptcy. Any application for relief under Rule 9023 must be filed with the court on or before 01/20/2013. Thereafter, the confirmed plan will be deemed final and binding on all parties pursuant to 11 U.S.C. §1327.

**D. KEYS to pay \$9,704.50 MONTHLY [PLUS TAX REFUNDS]
(PLUS PI PROCEEDS)**

to the Trustee who shall disburse funds pursuant to the terms of the confirmed plan.

Total fee awarded is \$3,500.00 previously paid direct by debtor.

To the Court Clerk the sum of \$0.00 and \$0.00 for filing and noticing fees.

The plan requires the payment, in full, of priority claims, proofs of which are timely filed, as follows:

<u>Class</u>	<u>Creditor Name</u>	<u>Claim Amt</u>	<u>Interest</u>
I	* CUMBERLAND COUNTY TENNESSEE	\$7,336.64	0.00%
I	TN DEPT REVENUE	\$10,000.00 (e)	0.00%
I	* UNITED STATES TREASURY	\$12,561.11	0.00%

Priority claims are generally paid prior to disbursements to any unsecured creditor, although no disbursements will be made on priority claims until support, mortgage, and secured creditors are current.

The court has fixed a value on the collateral held by all secured creditors, which value shall be deemed the extent of the secured claim. Such creditors shall retain the lien on their collateral and shall be treated as follows:

<u>Creditor Name</u>	<u>Value</u>	<u>Interest</u>	<u>Monthly Payment</u>
RICHARD ORPHIN JR AND NATALIE ORPHIN	\$17,500.00	3.25%	\$316.40
03 LINCOLN CARTIER/05 LOWE PONTOON BOAT			

The Trustee will calculate post petition interest due, if any, on these claims as fixed by the plan, and will pay such interest along with the principal.

To creditors holding claims secured by a purchase money security interest in a motor vehicle incurred within 910 days preceding the petition or secured by a purchase money security interest in any other thing of value incurred in the 1 year period preceding the filing as follows:

<u>Creditor/Collateral</u>	<u>Interest</u>	<u>Principal Amt To Be Pd</u>	<u>Month</u>
----- NONE -----			

The plan requires the Trustee to maintain ongoing mortgage payments as follows:

<u>Creditor Name</u>	<u>Monthly Payment</u>	<u>M/Y of 1st Disbursement</u>
* GLENN & BEA TERRY	\$8,250.00	12-12

The plan cures prepetition defaults on such mortgages as follows:

<u>Creditor Name</u>	<u>Interest</u>	<u>Arrears</u>	<u>Monthly</u>
* GLENN & BEA TERRY	0.00%	\$8,250.00	CLASS II

The defaults cured by the plan include prepetition arrearages (derived from the proofs of claim) and post petition, preconfirmation monthly installments.

The Trustee is authorized to pay any post petition fees, expenses, and charges, notice of which is filed pursuant to Rule 3002.1, F.R.B.P. and as to which no objection is raised, at the same disbursement level as the arrears claim noted above.

As of the date of this notice, the following notice of post petition fees, expenses, and charges has been filed:

<u>Creditor Name</u>	<u>Claim Amount</u>	<u>Monthly Payment</u>
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----- NONE -----

The plan treats some unsecured claims differently than others. The following claims to unsecured claimholders, in classes and paid in classes, sequentially as shown below:

<u>Class</u>	<u>Creditor Name</u>	<u>Interest</u>	<u>Dividend</u>	<u>Claim</u>
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----- NONE -----

The plan establishes a minimum dividend to general unsecured creditors, with timely claims but may establish a dividend to some creditors that differ from others. The following claims will be paid in the general unsecured class:

<u>Creditor Name</u>	<u>Interest</u>	<u>Dividend</u>	<u>Claim</u>	<u>Account</u>
AFNI INC	0.00%	1.00%	\$0.00	xxxxxxxx
ALLSTATE INSURANCE CO	0.00%	1.00%	\$0.00	xxxxxxxx
* AMERICAN EXPRESS TRAVEL RELATED SERVICES	0.00%	1.00%	\$2,010.29	xxxxxxxx1008
* CAPITAL ONE BANK USA NA	0.00%	1.00%	\$281.19	xxxxxxxx6577
CHARTER	0.00%	1.00%	\$0.00	xxxxxxxx
CHARTER COMMUNICATIONS	0.00%	1.00%	\$0.00	xxxxxxxx
CINGULAR	0.00%	1.00%	\$0.00	xxxxxxxx
CIRCUIT COURT CLERK	0.00%	1.00%	\$0.00	xxxxxxxx
CITY OF GATLINBURG AMBULANCE	0.00%	1.00%	\$0.00	xxxxxxxx
* COOKEVILLE REGIONAL MEDICAL CENTER	0.00%	1.00%	\$83.00	xxxxxxxx0264
CREDIT PROTECTION ASSOC	0.00%	1.00%	\$0.00	xxxxxxxx
CUMBERLAND MEDICAL CTR	0.00%	1.00%	\$0.00	xxxxxxxx4541
CUMBERLAND RADIOLOGY GROUP	0.00%	1.00%	\$0.00	xxxxxxxx
DR GALLAGHER	0.00%	1.00%	\$0.00	xxxxxxxx
DR VICKIE MOORE	0.00%	1.00%	\$0.00	xxxxxxxx
DR WILLIAM GREY	0.00%	1.00%	\$0.00	xxxxxxxx
DYCK ONEAL INC	0.00%	1.00%	\$0.00	xxxxxxxx3971
FIS	0.00%	1.00%	\$0.00	xxxxxxxx
FT SANDERS SEVIER MEDICAL	0.00%	1.00%	\$0.00	xxxxxxxx
GLA COLLECTION CO	0.00%	1.00%	\$0.00	xxxxxxxx0318
KELLY SIMS ESQ	0.00%	1.00%	\$0.00	xxxxxxxx
KEN WILLIAMS	0.00%	1.00%	\$0.00	xxxxxxxx
KNOXVILLE IMPATIENT PHYS	0.00%	1.00%	\$0.00	xxxxxxxx
* LECONTE MEDICAL CENTER	0.00%	1.00%	\$100.00	xxxxxxxx8108
* LECONTE MEDICAL CENTER	0.00%	1.00%	\$100.00	xxxxxxxx8108
* LECONTE MEDICAL CENTER	0.00%	1.00%	\$711.36	xxxxxxxx8108
MIDLAND CREDIT MGMT	0.00%	1.00%	\$0.00	xxxxxxxx

MOUNTAIN NATIONAL BANK	0.00%	1.00%	\$0.00	xxxxxxx
OPTIMA RECOVERY SERVICES	0.00%	1.00%	\$0.00	xxxxxxx
PALM BEACH RESORT	0.00%	1.00%	\$0.00	xxxxxxx
REVENUE RECOVERY CORP	0.00%	1.00%	\$0.00	xxxxxxx
RICK MILLER	0.00%	1.00%	\$0.00	xxxxxxx
TRI COUNTY COLLECTION	0.00%	1.00%	\$0.00	xxxxxxx
* UNITED STATES TREASURY	0.00%	1.00%	\$1,906.24	xxxxxxx0817
* UNITED STATES TRUSTEE	0.00%	1.00%	\$1,625.00	xxxxxxx
* UNIVERSITY HEALTH SYSTEMS	0.00%	1.00%	\$143.00	xxxxxxx2545
UNIVERSITY OF TN MEDICAL CTR	0.00%	1.00%	\$0.00	xxxxxxx
YELLOW BOOK	0.00%	1.00%	\$0.00	xxxxxxx

The following parties will receive future notices, but no distribution will be made to them under the confirmed plan:

FORD MOTOR CREDIT

HOWARD G PICK

The plan surrenders the debtors interest in collateral to the creditors listed below. The automatic stay has been lifted to allow these creditors to repossess the collateral upon which they have liens. Unless the order confirming provides otherwise, no disbursements will be made on any deficiency to these creditors unless and until deficiency claims are filed. Creditors unable or unwilling to repossess such collateral should advise the trustee to treat the entire claim as unsecured.

Surrender the collateral to creditor BANK OF AMERICA. (914 OAK RIDGE RD)

Surrender the collateral to creditor BANK OF AMERICA. (928 OAK RIDGE RD)

Surrender the collateral to creditor KENNETH & ALMA WILLIAMS. (928 OAK RIDGE RD)

Surrender the collateral to creditor LANDO RESORTS. (TIMESHARE/UNIT 12408 WK #9)

Surrender the collateral to creditor MOUNTAIN NATIONAL BANK. (914 OAK RIDGE RD)

Surrender the collateral to creditor WESTGATE RESORTS. (TIMESHARE/LAS VEGAS/MAINTANCE FEES)

The plan treats executory contracts as follows:

<u>Class</u>	<u>Creditor Name</u>	<u>Comment</u>	<u>Monthly</u>
	FIRST NATIONAL	(TRANSFER OF	REJECT CONTRACT
	ACCEPTANCE CO	PROPERTY/1260	
		SKYVIEW DR)	

Debtors to provide Trustee with monthly profit & loss statements, monthly bank statements and evidence of monthly payments to the Dept of Revenue, for sales tax, no later than the 20th of each month for the preceeding month. The Trustee also requests copies of annual tax returns and quarterly tax returns filed by the debtors within 20 days of filing with the IRS during the case.

Generally, any claim, proof of which is not filed before 12/19/2012, shall be disallowed. Claims of government units, proofs of which are not filed before 02/13/2013, shall be disallowed. Scheduled claims, proofs of which are not filed, or which claims are disallowed are subject to being discharged if the debtor(s) complete the plan, except as specifically provided by law.

The court has found that the Debtor has complied with the requirements of §521(a)(1)(B) and the case is not dismissed pursuant to §521(i).

Confirmation of this Plan shall impose upon any claimholder treated under paragraph 4 d)(iv) of the Confirmation Order and, holding as collateral, the debtor's residence,

the obligation to:

a. Apply the payments received from the Trustee on pre-confirmation arrearages only to such arrearages. For purposes of this Plan, the "pre-confirmation" arrears shall include all sums included in the allowed proof of claim plus any post-petition pre-confirmation payments due under the underlying mortgage obligation not specified in the allowed proof of claim. Monthly ongoing mortgage payments shall be paid by the trustee commencing with the later of the month of confirmation or the month in which a proof of claim itemizing the arrears is filed by such claimholder.

b. Treat the mortgage obligation as current at confirmation such that future payments, if made pursuant to the plan, shall not be subject to late fees, penalties or other charges.

The debtor(s) must contribute tax refunds to the Trustee to increase funds available to the creditors holding allowed claims. Any tax refund received by the Trustee will be added to the "base" amount fixed in the plan.

Unsecured creditors shall receive their prorata portion of the Unsecured Pool that remains after satisfaction of all allowed priority and administrative claims, not to be less than **1.000%** of such claims.

The unsecured pool shall be increased by the "base" amount not needed to satisfy allowed secured, priority, and administrative claims (including the trustee's commission).

The plan establishes a minimum pool of funds to be paid to all unsecured creditors called the "unsecured pool". Nonpriority unsecured creditors holding allowed claims shall receive a pro rata share of the unsecured pool after allowed unsecured priority and administrative claims have been satisfied. The plan establishes the Unsecured Pool at **N/A**.

The plan sets a minimum pool of funds to be paid to the Trustee by the debtor(s) called a base. The debtor(s) must pay this base or allowed claims in full before a discharge may be entered. The base is fixed at **\$582,200.00 increased by tax refunds and PI proceeds**.

Please note that this Notice is only a summary of the plan as confirmed by the Court. You are cautioned to review the Court's order approving the plan, available on PACER at <http://ecf.tnmb.uscourts.gov>.

/s/HENRY E HILDEBRAND, III

CHAPTER 13 TRUSTEE

P O BOX 340019

NASHVILLE, TN 37203

PHONE: 615-244-1101

FAX: 615-242-3241

pleadings@ch13nsh.com

* An asterisk denotes that a proof of claim has been filed for the listed creditor. No disbursements will be made on any claim pursuant to the plan unless an allowed proof of claim is filed.

CERTIFICATE OF SERVICE

Case number: 1207578

I hereby certify that a true and correct copy of the foregoing has been served by 1st Class Mail on:

DANNY LANE KEYS and JANICE DIANE KEYS 80 TIMBERLINE RD CROSSVILLE, TN 38571

CHARTER % AFNI 404 BROCK DR BLOOMINGTON, IL 61702

AMERICAN EXPRESS TRAVEL RELATED SERVICES CO INC % BECKET & LEE LLP P O BOX 3001 MALVERN, PA 19355

LECONTE MEDICAL CENTER % BROWN AGENCY 515 AIRPORT ROAD STE 105 CHATTANOOGA, TN 37421

RICHARD ORPHIN JR AND NATALIE ORPHIN % DAVID H PARTON 330 PKWY GATLINBURG, TN 37738

COOKEVILLE REGIONAL MEDICAL CENTER % FRANKLIN COLLECTION SVC P O BOX 3910 TUPELO, MS 38803

KENNETH & ALMA WILLIAMS % J PATRICK STAPLETON PC P O BOX 4428 SEVIERVILLE, TN 37864

CUMBERLAND COUNTY TENNESSEE % KIM WYATT TRUSTEE 2 NORTH MAIN ST CROSSVILLE, TN 38555

UNIVERSITY HEALTH SYSTEMS % TCCA, INC P O BOX 1503 MORRISTOWN, TN 37816

TN DEPT REVENUE % TN ATTY GEN BK UNIT P O BOX 20207 NASHVILLE, TN 37202

UNIVERSITY OF TN MEDICAL CTR 1 MEDICAL PLAZA KNOXVILLE, TN 37940

GLENN & BEA TERRY 1235 SKI MOUNTAIN RD #605 GATLINBURG, TN 37738

CIRCUIT COURT CLERK 125 COURT ST SEVIERVILLE, TN 37862

CREDIT PROTECTION ASSOC 13355 NOEL RD STE 2100 DALLAS, TX 75240

DYCK ONEAL INC 15301 SPECTRUM DR ADDISON, TX 75001

TRI COUNTY COLLECTION 221 E MAIN ST STE 201 MORRISTOWN, TN 37814

GLA COLLECTION CO 2630 GLEESON LANE LOUISVILLE, KY 40299

WESTGATE RESORTS 2801 OLD WINTER GARDEN RD OCOEE, FL 34761

RICK MILLER 2894 HWY 72 E HUNTSVILLE, AL 35811

KEN WILLIAMS 2908 RAMBLING RD MARYVILLE, TN 37801

MOUNTAIN NATIONAL BANK 300 E MAIN ST SEVIERVILLE, TN 37862

PALM BEACH RESORT 3015 N OCEAN BLVD FORT LAUDERDALE, FL 33308

FIS 3100 NY DR STE 100 PASADENA, CA 91107

UNITED STATES TRUSTEE 318 CUSTOMS HOUSE 701 BROADWAY NASHVILLE, TN 37203

CINGULAR 404 BROCK DR BLOOMINGTON, IL 61702

CUMBERLAND MEDICAL CTR 421 S MAIN ST CROSSVILLE, TN 38555

REVENUE RECOVERY CORP 612 GAY ST KNOXVILLLE, TN 37902

STEVEN L LEFKOVITZ 618 CHURCH STREET STE 410 NASHVILLE, TN 37219

OPTIMA RECOVERY SERVICES 6215 KINGSTON PIKE KNOXVILLE, TN 37919

KELLY SIMS ESQ 7003 CHADWICK DR STE 289 BUILDING 1 SYNERGY EXECUTIVE SUITES BRENTWOOD, TN 37027

DR VICKIE MOORE 815 E PKWY STE 7 GATLINBURG, TN 37738

MIDLAND CREDIT MGMT 8875 AERO DR STE 200 SAN DIEGO, CA 92133

DR WILLIAM GREY HOSPITAL ST NEWPORT, TN 37782

KNOXVILLE IMPATIENT PHYS P O BOX 11567 KNOXVILLE, TN 37939

YELLOW BOOK P O BOX 1164 METAIRIE, LA 70004

JOE LOONEY P O BOX 1250 CROSSVILLE, TN 38557

CAPITAL ONE BANK USA NA P O BOX 12907 NORFOLK, VA 23541

RICK MILLER P O BOX 17371 HUNTSVILLE, AL 35810

CITY OF GATLINBURG AMBULANCE P O BOX 2698 KNOXVILLE, TN 37901

CUMBERLAND RADIOLOGY GROUP P O BOX 3139 CROSSVILLE, TN 38557

HOWARD G PICK P O BOX 3285 CROSSVILLE, TN 38557

FORD MOTOR CREDIT P O BOX 452000 OMAHA, NE 68154

CHARTER COMMUNICATIONS P O BOX 600 ALCOA, TN 37701-0660

BANK OF AMERICA P O BOX 650070 DALLAS, TX 75265

UNITED STATES TREASURY P O BOX 7317 PHILADELPHIA, PA 19101-7317

INTERNAL REVENUE SERVICE P O BOX 7346 PHILADELPHIA, PA 19101-7346

FIRST NATIONAL ACCEPTANCE CO P O BOX 980 EAST LANSING, MI 48826

ALLSTATE INSURANCE CO TWO WELLS AVE NEWTON CENTER, MA 02459

and electronically noticed to STEVEN L LEFKOVITZ, 618 Church Street Ste 410, Nashville, TN 37219 and Ms Beth R Derrick, Assistant US Trustee, 313 Customs House, 701 Broadway, Nashville Tn, 37203 pursuant to Court's ECF delivery.

/s/Henry E. Hildebrand, III
HENRY E. HILDEBRAND, III
Standing Chapter 13 Trustee

Date: Dec 28, 2012

Case number: 1207578